

ANDOVER BOARD OF HEALTH
MINUTES
MONDAY, JANUARY 12, 2015, 6:00 P.M.
FIRST FLOOR CONFERENCE ROOM
36 BARTLET STREET

The Board of Health Meeting was called to order at 6:00 p.m. Present were Ms. Candace Martin, Chairman, Gopala K. Dwarakanath, M.D., Clerk, and Mr. Thomas G. Carbone, Director of Public Health.

I. Approval of Minutes

- **December 8, 2014**

Motion by Ms. Martin, seconded by Dr. Dwarakanath, to approve the Minutes of December 8, 2014 with the following corrections:

1. *On page 1, under **Appointments & Hearings**, •Phil Dres for Phil's Roast Beef- Show Cause Hearing to Suspend or Revoke a Food Establishment License, first motion, change "Motion by Ms. Martin..." to "Motion by Dr. Dwarakanath..."*
2. *On page 4, first paragraph, delete the first full sentence: "Mr. Carbone informed Ms. Martin that nothing could be done by the Board of Health at this time because the court hasn't taken any action on the Bank's request to file a cross claim with the Town's action yet".*

Unanimous approval.

II. Appointments & Hearings

- **6 p.m. – Attorney William Bougioukas to Address the Board Concerning 294 South Main Street** – Attorney Bougioukas did not appear before the Board of Health. There was no discussion by the Board concerning 294 South Main Street.

Interviews for Vacant Board of Health Position:

Ms. Martin gave the following information to each candidate. The Board needs to fill the seat that was vacated in December, 2014, and is looking for varied professional backgrounds to complement its work. The purpose of the meeting was to get to know each candidate better, inform them about what the position involves and what type of issues they may deal with. Board of Health Meetings are held once a month, usually on the second Monday evening starting at 6 p.m. and the schedule can be adjusted if needed. If an urgent issue arises, a special meeting may be needed. The Board of Health packet is sent out by Friday before the meeting via Dropbox, and the Members have the weekend to read the information and have any questions ready for Monday. Mr. Carbone thoroughly informs them about issues they may not have experience in, such as sewer or septic work. Information is in the packets via an attached Memo and is also provided at the time of the Board of Health Meetings. The Board is hoping to have someone in place

for the February 9, 2015 Board of Health Meeting. The selection of possible candidates will be sent to the Town Manager and he will make the decision of who the replacement will be.

- **6:15 p.m. Pam Linzer to Discuss Open Board Seat** – Ms. Linzer had applied in 2013 for the open Board seat and was still interested in the position. She explained that she is a full-time Nurse at Winchester Hospital, and is pursuing her PhD. She has experience with kitchen inspections at Winchester Hospital, communicable diseases, and Flu Programs as well as management of Employee Health and Infection Prevention. She worked on Ebola Preparedness, set up training programs, and worked on worker safety as well. Ms. Linzer likes the fact that the Board has a diversified agenda and is very interested in becoming a Board of Health Member.
- **6:30 p.m. – Carolyn Dymond to Discuss Open Board Seat** – Ms. Dymond works as a Special Assistant for General Counsel for the Commonwealth of Massachusetts Department of Housing and Development, where she is the first contact with any problems that arise. She handles policy matters, procedure and regulations, housing, homelessness, and domestic violence services. She is a Harvard graduate and did her graduate work in Public Health and midwifery at the University of Pennsylvania and majored in Anthropology. After graduation she worked for the Cambridge Health Alliance and helped launch their customer service line. She has read the Minutes for the Board of Health and saw there were a lot of issues with hoarding and felt that hoarding was a mental health concern. She stated that she had some ideas to help, including finding partnerships with the social services in this area and developing a resource list to help them and their family members.
- **6:45 p.m. – Steven Adams to Discuss Open Board Seat** – Mr. Adams did not appear at the Board of Health Meeting.
- **7:00 p.m. – Lawrence Richard to Discuss Open Board Seat** – Dr. Richard stated that he has been an Andover resident for 33 years and has been a Veterinarian for 36 years. He is no longer actively practicing, but is still licensed and continues his education. Dr. Richard feels that he has the time to devote to once a month meetings and felt he could offer some of his expertise to the Board. Ms. Martin pointed out that his expertise would help when the Board updates their Animal Regulations to include chickens, roosters, and some farm animals. Mr. Carbone stated that Dr. Richard may also have the opportunity to work with the Board on the Task Force when the new regulations are addressed.

Assessment and Decision

The Board Members discussed each candidate's experience, interest and passion. Dr. Dwarakanath stated that he was very impressed with Ms. Linzer's personality and believed that she showed the most passion. She had been interviewed back in 2013 and was still interested in becoming a Board Member which shows she is willing to make the commitment. She has great experience in the health care field and the Board felt she would be an asset to the Board. Ms. Dymond is academically qualified and

has excellent leadership skills. Her ability to develop detailed plans and her extensive experience as General Counsel for the Commonwealth of Massachusetts Department of Housing and Development as well as her education at Harvard would make her a good applicant to eventually fill the Chairman position, since Ms. Martin will be resigning in June, 2015. The Board thought that Dr. Richard would make a good member of the Task Force when the Board revises the Animal Regulations.

The Board Members decided that they would like Ms. Linzer to join the Board in February and then offer Ms. Dymond a position after Ms. Martin resigns. Ms. Martin agreed to speak with Ms. Dymond and explain the Board's reasoning. The Board will send its recommendations to the Town Manager for approval, and he will make the final decision. The Board will reorganize after the new Member joins in February.

III. Discussion

- **Permit Streamlining Report Discussion** – Ms. Martin stated that she thought this was a good healthy process and was beneficial for interaction among all departments that issue the permits. Something Ms. Martin would like to see is a list of priorities; are the short-term or the long-term timelines most important. Mr. Carbone responded that what may be a priority for Staff may not be the priority to other stakeholders. Ms. Martin stated that some of the issues are tightly woven with the budget and approved head count. Mr. Carbone explained that the CD&P Department is in the process of requesting to increase some of its Staff, which ties into customer service. Ms. Martin stated that this document took common themes and grouped them together. Ms. Martin would like to add a classification of whether it is the system, the staffing or the process that makes the most impact. There are a lot of recommendations in the report and some are very specific, such as updating the Health Division Food Plan Review Packet. Mr. Carbone stated that he would value the Board Members opinions on the larger report and would like them to let him know if there are some areas we should look at more extensively. He stated that there were some aspects of the report that the Division Heads were not happy with so they would be spending some more time with Staff to discuss how to improve on those.
- **Budget Submittal** – Mr. Carbone informed the Board that he has put in a request to replace the part-time Sanitarian, Daniel Tremblay, with a full-time Health Agent. Mr. Carbone will be submitting a Revolving Fund request to pay for the position. One way to help fund the position would be to put the money collected from Food Service Establishment Licenses and Deep Hole and Perc test fees into the Revolving Fund. We could increase the Food Permit fees for fiscal year 2016 which would help to fund the position. With benefits built in, the Town would need about \$70,000.00 to fund this. We have a Health Agent contracted out at this time, but the funding stream used for that contract runs out on June 30, 2015. To contract it out fully with new funding would cost \$25,000.00.

Right now there is no backup for Mr. Tremblay. Also, even with the contracted Inspector, our restaurant inspections are not being done twice a year as required. Mr. Tremblay also inspects all the pools in Town during the winter for the indoor pools

and the spring and summer for the outdoor pools; these inspections are only being done once a year as well, where twice a year is preferred.

Mr. Carbone met with Donna Walsh, Director of Finance and Budget, and Steve Bucuzzo, Assistant Town Manager, and they are in agreement that the full-time position could be funded with a Revolving Fund. Mr. Carbone told the Board that he would have a better idea in the next week on how much the fees would have to be increased to support this idea.

The CD&P Department is also pursuing combining the two part-time Office Assistant positions into one full-time position. They work at the front counter which can get very busy. The advantage is the continuity of having the same person there all day every day. When there are questions about money or permits, the delay in being able to speak to the other person can cause a delay in solving the problem. The biggest issue is that the Town would have to pay benefits if the position changes to full-time. Ms. Martin suggested using some data to show how we compare from across the years to justify adding these positions.

IV. **Old Business**

- **2 Dufton Road Update** - Mr. Carbone informed the Board that he had an appointment at 2 Dufton Road today to perform an inspection, but was told by management that the bank said Mr. Carbone could have access to the first floor, but not the basement. He may have to issue another violation notice to the bank. Back in November of 2014, the Board voted to tell the bank that it needed to do something, and would accept that an attempt has been made if they would file with the Land Court. The Land Court said it had nothing to do with the case before it and would not allow the bank to proceed. The bank now states that it did what it said it would do. Ms. Martin stated that Mr. Boyer said he would fix the issues himself, and asked if Mr. Carbone ever got a response back. He did not, and stated that he thought the next step would be to tell the bank to file in Housing Court, or Mr. Carbone would file. He was not sure if he was ready to do that at this time, however. Mr. Carbone wanted to verify what was still outstanding before taking the next step. He questioned if he should re-issue an ORDER or make a determination that we have a valid decision from the Board of Health and that the bank needs to take the next step. Mr. Carbone will discuss this issue with Town Counsel.

V. **Subdivision Definitive Plans**

- N/A

VI. **Plan Review**

- **DWRP – Variances/Local Upgrade Approval**
 - **3 Exeter Way - Allow SAS to be 4' above SHWT, 5' required (not on Agenda)** - Mr. Carbone explained to the Board that the owner wants to put on a new addition with sonar tubes. He wants to put in a new system because the

addition would be too close to the existing tank, and while he is doing the work he wants to upgrade the entire system. In order to avoid a pump, he needs the 1' LUA. There is no change in the bedroom count; this is a voluntary upgrade and will remain a 4 bedroom home. Since this was not on the Agenda, Mr. Carbone requested that the Board allow him to issue the LUA and then put the LUA onto the February Agenda for a formal approval. The Board agreed.

VII. Staff Reports

A. Director's Reports:

- **Important Dates:**
 - February 9, 2015, Board of Health Meeting at 6 p.m.
 - March 9, 2015, Board of Health Meeting at 6 p.m.
- **Sewer Expansion Update** – Ms. Martin stated that she is hoping the Town will expand the sewer line with the Master Plan like they did in the past. She asked if people in Andover were required to connect to the sewer within a timeline. Mr. Carbone responded that the Town of Andover does not have a timeline. Ms. Martin asked Mr. Carbone if he could get information on what addresses listed on the sewer line expansion have connected to sewer and which have not. Mr. Carbone stated that he could get that information and get it mapped out for the Board. Ms. Martin would be interested in that data because then if we are looking for expansion, we might want to update the Sewer Regulations to require that they connect to sewer in a specific timeline. Mr. Carbone replied that is something to keep in mind as we go forward because he and DPW will be working on this in the next year. The only requirement now is that if the person has a failed septic system, and sewer is available, the property must be connected to sewer. Only minor repairs to a septic system are allowed if needed.

Ms. Martin asked for an update on the Master Plan concerning sewer. Mr. Carbone stated that he has been working with the Department of Public Works (DPW) on this subject. They have put out the RFP and CDM Smith was the only company that responded. Chris Cronin, Director of the Municipal Services Department, understands the Board's desire to bring sewer into the drinking watershed area. As we work with CDM to look at what needs to be reviewed and what could be built upon, we have to be sure that the sewers can handle the downstream material. That comes into play with the Shawsheen interceptor, along with the River Road interceptor. The first batch of money is to going to be spent looking at that. It is going to require more funding, but it is a step in the right direction.

- **Update on 116 Osgood Street Executive Session, February 2, 2012** – Mr. Carbone informed the Board that the matter that was of concern in the February 2, 2012, Executive Session has been closed out. The Board gave Mr. Carbone permission to release those Minutes.

- **Annual Thank You Letter to Volunteers (not on Agenda)** – The Board signed the annual thank you letter to the volunteers who helped the Health Division out throughout the year.¹
 - **Remembering Dr. Dunbar (not on Agenda)** – Mr. Carbone spoke about the passing of Dr. Dunbar who had been on the Board of Health for thirty-nine years; many of those years as Chairman. A Memorial Service will be held for him in the spring. At that time, the Board will make a donation in his name.
- B. **Nurses' Report for December, 2014** – The Nurses' Report for December, 2014, was for informational purposes only.
- C. **Inspectors' Reports for December, 2014** – The Inspectors' Reports for December, 2014, were for informational purposes only.

VIII. Board Members Reports:

IX. Adjournment :

Motion by Dr. Dwarakanath, seconded by Ms. Martin, to adjourn at 8:43 p.m.

¹ A copy of the Thank You Letter to volunteers is inserted into the packet after page 47.